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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 9, 2002

APPLICATION OF

ACC TELECOMMUNICATIONS OF
VIRGINIA, LLC

CASE NO. PUC-2002-00011

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services and interim operating
authority

FINAL ORDER

On January 31, 2002, ACC Telecommunications of Virginia, LLC ("ACC" or the "Company"), filed an application for certificates of public convenience and necessity with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Company also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia and requested interim operating authority to provide the above-referenced telecommunications services under the existing

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

tariffs of Adelphia Business Solutions of Virginia, L.L.C.
("Adelphia Virginia").¹

By Order dated February 25, 2002, the Commission granted ACC's request for interim operating authority, directed the Company to provide notice to the public of its application, and directed the Commission Staff to conduct an investigation and file a Staff Report. On March 7, 2002, the Company filed proof of service, and on April 10, 2002, the Company filed proof of publication as required by the February 25, 2002, Order.

On April 17, 2002, the Staff filed its Report finding that ACC's application was in compliance with the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). Based upon its review of ACC's application, the Staff determined it would be appropriate to grant the Company certificates to provide local exchange and interexchange telecommunications services subject to the

¹ On January 8, 2002, Adelphia Virginia and ACC filed a joint petition pursuant to Chapter 5 of Title 56 of the Code of Virginia requesting approval of the transfer of certain assets, operations, and customers of Adelphia Virginia to ACC (Case No. PUA-2001-00080). Since the transfer would not transfer Certificate No. TT-63C authorizing Adelphia Virginia to provide interexchange telecommunications services and Certificate No. T-433b authorizing Adelphia Virginia to provide local exchange telecommunications services, ACC filed the instant application requesting certification and interim operating authority. The Commission granted ACC's request for interim operating authority in its February 25, 2002, Order for Notice and Comment and Granting Interim Authority. Although ACC is requesting statewide certification, it will initially assume and operate the Roanoke and Shenandoah area network of Adelphia Virginia. An order granting the requested transfer in PUA-2001-00080 is still pending.

following condition: should ACC collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

NOW THE COMMISSION, having considered the application and the Staff Report, finds that the Company should be granted certificates to provide local exchange and interexchange telecommunications services. Having considered § 56-481.1, the Commission further finds that the Company may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) ACC Telecommunications of Virginia, LLC, is hereby granted a certificate of public convenience and necessity, No. TT-177A, to provide interexchange telecommunications services subject to the restrictions set forth in the Commission's Rules Governing the Certification of Interexchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) ACC Telecommunications of Virginia, LLC, is hereby granted a certificate of public convenience and necessity, No. T-585, to provide local exchange telecommunications services subject to the restrictions set forth in the Rules Governing the Offering of Competitive Local Exchange Telephone Service, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Pursuant to § 56-481.1 of the Code of Virginia, the Company may price its interexchange telecommunications services competitively.

(4) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(5) Should ACC collect customer deposits, it shall establish and maintain an escrow account for such funds, held in a Virginia office of a duly chartered state or national bank, savings and loan association or savings bank, or credit union that is unaffiliated with the Company and shall notify the Division of Economics and Finance of the escrow arrangement and any subsequent change. Any escrow arrangement established pursuant to this requirement shall be maintained until such time as the Staff or Commission determines it is no longer necessary.

(6) There being nothing further to come before the Commission, this case shall be dismissed and the papers filed herein placed in the file for ended causes.